

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 2:19-CR-00014-1-JRG-CRW
)	
XIAORONG YOU,)	
)	
Defendant.)	

PROTECTIVE ORDER

This matter is before the Court on the parties' Joint Motion for Protective Order [Doc. 438].

The motion is **GRANTED**.

Pursuant to 18 U.S.C. § 1835, it is **ORDERED** that:

Scope: Highly Confidential Exhibits

1. This Protective Order shall apply to "Highly Confidential Exhibits," which includes the following sealed exhibits from the April 2021 trial in this case:

- Government's Exhibit 6f
- Government's Exhibit 8f
- Government's Exhibit 11q
- Government's Exhibits 13c through 13n
- Government's Exhibits 17d through 17f
- Government's Exhibits 23a through 23o
- Government's Exhibits 24a through 24ff
- Government's Exhibits 25a through 25z
- Government's Exhibits 26a through 26vv
- Government's Exhibits 27a through 27e
- Government's Exhibits 28a through 28n
- Government's Exhibits 29a through 29y

2. In agreeing to this Protective Order, neither counsel for defendant nor the defendant concedes that any of the Highly Confidential Exhibits contain trade secrets.

Handling of Highly Confidential Exhibits During the Appeal Process

3. The government shall provide the Highly Confidential Exhibits to two attorneys for the defendant: John Cline and Jason Liang. The government shall provide each of those attorneys with encrypted media containing the Highly Confidential Exhibits. The government shall not provide Highly Confidential Exhibits to either attorney until the attorney has completed and returned the Certification attached to this Order.

4. To review the encrypted media containing the Highly Confidential Exhibits, Mr. Cline and Mr. Liang shall only use computers that (a) have both physical and wireless internet connectivity disabled and (2) are not simultaneously connected to any other devices with the capacity to store or transmit data from the Highly Confidential Exhibits.

5. Mr. Cline and Mr. Liang shall not make any additional copies of the Highly Confidential Exhibits.

6. If Mr. Cline or Mr. Liang create any paper or electronic notes, summaries, or other documents or records that are derived in whole or in part from the Highly Confidential Exhibits, such materials shall be kept in locked storage or on encrypted media to which only Mr. Cline and Mr. Liang have access. If electronic, all such materials shall only be accessed using computers that meet the criteria set forth in Paragraph 4 above.

7. Except as provided in this Order, Mr. Cline and Mr. Liang shall not permit any other person (including the defendant) to access or view any portion of the Highly Confidential Exhibits or any paper or electronic notes, summaries, or other documents or records that are derived in whole or in part from the Highly Confidential Exhibits, or to otherwise access any encrypted media containing the Highly Confidential Exhibits, and Mr. Cline and Mr. Liang shall

not communicate or otherwise cause or permit access or disclosure to any other person any information derived from the Highly Confidential Exhibits.

8. Notwithstanding the above, Mr. Cline and Mr. Liang are permitted to include the Highly Confidential Exhibits, or information derived therefrom, in sealed filing(s) before the appellate court. *See, e.g.*, 6th Cir. R. 25(h)(5) (“Documents sealed in the lower court or agency must continue to be filed under seal in this court.”).

9. Mr. Cline and Mr. Liang may not use Highly Confidential Exhibits or the information contained therein for any purpose other than litigating the appeal of this case.

Violations

10. Any violations of this Order, inadvertent or otherwise, shall be immediately reported in writing to the Court and to the government.

Disposition of Highly Confidential Exhibits Following the Appeal Process

11. Following the expiration of any deadline for continuing the appeal process in this case, Mr. Cline and Mr. Liang shall, within fourteen days of receipt of a written request from the United States, return or destroy the Highly Confidential Exhibits (including any paper or electronic notes, summaries, or other documents or records that are derived from the Highly Confidential Exhibits). Following such return or destruction, Mr. Cline and Mr. Liang shall file a notice with this Court affirming same.

So ordered.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE

CERTIFICATION ACKNOWLEDGING TERMS OF PROTECTIVE ORDER

UNITED STATES v. XIAORONG YOU, et al (2:19-CR-14)

The undersigned hereby acknowledges that he has received a copy of the Protective Order issued in *United States v. Xiaorong You, et al.* (2:19-CR-14, Docket Number ____), has read, understands, and agrees to the terms of that Order, and hereby submits to the jurisdiction of the United States District Court for the Eastern District of Tennessee for the purposes of enforcement of the terms of that Order and the punishment of any violations thereof.

Signature

Date

Printed Name

Telephone Number

Street Address, City, State, Zip Code